

United States District Court - Puerto Rico

For The District of Puerto Rico

Eliezer Santana
Baez
Plaintiff
Vs.

Civil No: 17 BK 3283-LTS
Promesa Title III
over: Damage claims

Commonwealth of
Puerto Rico and
others

Cas: DDP2016-0591

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U.S. DISTRICT COURT
SAN JUAN, P.R.

Motion Requesting To UnParalyze For Become In
Knowledge In the File That The Commonwealth
of Puerto Rico was not Summon In This case.

To The Honorable Court:

Come now, the above named Plaintiff, prose
in pauper's form and very respectfully pray
allege and request:

1. Under the believe that we understand that the
Commonwealth of Puerto Rico was summoned in this
case, the past year we appear before this au-
gust forum requesting the unParalyze of case,
still remaining the Commonwealth and we expo-
sed our grounds, after the defendant submitted
their ground whom also appear, without becoming
aware, this forum denied our petition. Case DDP2016-
0591
2. Is now that, after analyze the file of this speci-
fic case, that we become in knowledge that the
Commonwealth of Puerto Rico never was summoned.
Of fact, before our constant appointments to the
Instance Forum, this never did it as file from this
it follow that the Summon to the Commonwealth
was negative, for it was never summoned. In the case DDP
2016-0591
3. Whom appear was the company Correctional Health
Services Corporation answer the lawsuit, i reply
and coursed the discovery of proof, before all this

that process, the Commonwealth never appeared and this for not have being Summons. Still without it, the legal arrangement of Puerto Rico do not confer to the court jurisdiction over the person of the defendants, if these were not formally Summons.

4. The matter had been almost a year and the Commonwealth never appeared, this before it paralyze. After is that the Commonwealth appear requesting the Paralyzation of case, but we believe that made it as part of a mechanic exercise, to appear as defendants and without counting that in this case do not figure in reality as defendants for which never was Summons, to which whole note in a defense on their favor.
5. On synthesis, this case carry out four (4) years of presented the lawsuit of judicial decree, and the Commonwealth never had been formally Summons, either are indispensable part in this case still our cause turn majorly against the rest of the defendants.
6. For it that, we request that this Honorable Court take knowledge of this, and order to raise the Paralyzation in this case given that the Commonwealth of Puerto Rico do not figure as defendant for not having been Summons Claudio V. Casillas Mojica 100 D.P.R. 761 (1972). Rivera Briez V. Jaime Andujar, 157 D.P.R. 562 (2002), see Civil Procedures Rules of (2009) - Rule 4.4
7. The law ("Promesa") was created to benefit the Commonwealth of Puerto Rico and not for the rest of the defendants here in this case, for it that not to be defendant the Commonwealth request to raise the Paralyzation in this, all since that the Commonwealth do not exist in this case.

Prayer

wherefore, request it take knowledge of all expose
grant the legal resort presented and it order
to raise the Paralyzation in this case, ordering
the Court of Bayamon to continue with the pro-
ceedings in this case.

This date of march 2020. Very respectfully
Submitted in San Juan, Puerto Rico.

9 March 2020

Eliezer Santana Baez
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Bayamon, P.R. 00961-7403